

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Franck ROLION, *et al.* Confirmation No.: 5989
Serial No.: 10/577,007 Art Unit: 3751
Filed: April 24, 2006 Examiner: Ryan A. Varnum
For: MECHANICAL PENCIL Attorney Docket No.: 11348-20-999
CAM No.: 601909-999019

April 16, 2010

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:
 - 1a. A list of all patents, publications, applications, or other information submitted for consideration by the office.
 - 1b. A legible copy of:
 - Each publication or that portion which caused it to be listed on the PTO-1449;
 - For each cited pending unpublished U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion that have been checked to be unavailable at the USPTO's private PAIR system;
 - An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report;
 - Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications;
 - All other information or portion which caused it to be listed on the PTO-1449.
 - 1c. Pursuant to 37 C.F.R. § 1.98(a)(2)(ii), copies of the cited U.S. patents and U.S. patent application publications are not submitted herewith unless required by the office.
 - 1d. Pursuant to 1287 OG 163, copies of cited pending unpublished applications that are available at the USPTO's private PAIR system are not submitted herewith.

ELECTRONIC FILING

2. This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):

Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);

Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;

Before the mailing of the first Office action on the merits;

Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

3. This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

(Check either Item 3a or 3b)

3a. The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.

3b. The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:

enclosed.

to be charged to Jones Day Deposit Account No. 50-3013.

(Item 3b to be checked if any reference known for more than 3 months)

4. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability and no representation is made that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Applicants note that we received an office action in a corresponding Taiwanese patent application. The Office Action cited Taiwanese published patent application no. TW 534001 having an equivalent US 2003/0031498 and TW 535734 having no U.S. equivalent. Applicants have enclosed a copy of the English abstract of TW 534001 for the Examiner's easy reference. Applicants also enclose copies of EP 1285780 A2 and EP 1285780 A3 as they are in the family of patents with TW 534001.

As for TW 535734, we were not able to obtain an official abstract for this case. However, please see the following description: TW 535734 discloses a mechanical pencil actuated by a rear button (B) and a ratchet mechanism. The head of the chuck 542 is clamped by the front portion 512 of a sleeve 51 upon the biasing force of a spring (52). The rear end 541 of the chuck is fixedly mounted in the moving member 53. No cushioning effect is provided.

Please call the attorney responsible for this case at the phone number provided below if you have any questions regarding this IDS or other matters related to this application.

Respectfully submitted,

Date: April 16, 2010


Peter G. Thurlow
JONES DAY
222 East 41st Street
New York, NY 10017-6702
(212) 326-3694

47,138

(Reg. No.)